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ABSTRACT

The number of students with disabilities entering higher education continues to increase, and there is a concomitant rise in the number of disability accommodation grievances filed in institutions, with the U.S. Office of Civil Rights, and through the legal court system. It is important that faculty members know about disability law. Faculty members at a medium-sized comprehensive Hispanic-serving institution were surveyed to determine the level of disability law knowledge. Responses were received from 184 faculty members, 42% of those surveyed. The research found that faculty members had only limited and general knowledge of disability law. This knowledge was interpreted as inadequacy on the part of the university in serving the student disability population. The study also found a relationship, although a small one, between previous training or education in disability law and current knowledge. The paper discusses implications for practice. An appendix contains the survey. (Contains 1 table and 15 references.) (Author/SLD)

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Faculty Knowledge of Disability Law: Implications for Higher Education Practice

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Abstract

There continues to be rise in the number of students with disabilities entering post-secondary institutions. Concomitantly, there has been a rise in the number of disability accommodation grievances filed institutionally, with the United States Office of Civil Rights, and through the legal court system. It has since become imperative that faculty members become more knowledgeable about disability law. Faculty members at a medium-sized, comprehensive, Hispanic-serving institution were surveyed to ascertain the level of disability law knowledge. The research found that faculty members had limited and general knowledge of disability law. The researcher translated the limited knowledge to an inadequacy of the university to serve the student disability population. As was expected, the research also found that there is a relationship—albeit a small relationship—between previous training or education of disability law and current knowledge of the law. Implications for practice are discussed.

Faculty Knowledge of Disability Law: Implications for Practice

"It is a wise man who said that there is no greater inequality than the equal treatment of unequals."[1]

Justice Felix Frankfurter

The 14th Amendment of the Constitution of the United States of America reads that the United States shall not "make or enforce any law which shall abridge privileges or immunities of citizens of the United States...nor deny to any person within its jurisdiction the equal protection of the laws" (Cloud, 2000, p. 391). Equal protection of the law for people with disabilities, since 1868 through 1973, emerged in the form of this constitutional amendment. However, in 1973 and under significant pressure, the United States Congress passed and the president subsequently signed a bill into law entitled the Rehabilitation Act of 1973. The act has been regarded as the first civil rights legislation for people with disabilities.

Rehabilitation Act of 1973

The Rehabilitation Act of 1973 was written to support and assist people with disabilities through affirmative action legislation (Paul, 2000). Section 504 of the Rehabilitation Act was specifically geared toward public accommodations in school settings including higher education. Section 504 reads:

> No otherwise qualified individual with a disability in the United States...shall, solely by reasons of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance....

The only exclusion to this law was an institution that did not receive any financial support from the federal government; therefore, any institution that received at least one federal dollar has to comply with the law (Benham, 1997). It is appropriate to review some definitions to understand

[1] Justice Felix Frankfurter within the dissenting opinion in *Dennis v. United States*, 339 US 184.

the legislation better. A handicapped person (today known as a person with a disability) "means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment." The law also listed a set of criteria to describe what constitutes discrimination against a person with a disability as: "No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives federal financial assistance." This part of the legislation has provided for the basis of much discrimination litigation.

A different subsection of the legislation that is of interest is on accommodations in post-secondary institutions. An institution is required to "make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating." The law also suggests, "Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptations of the manner in which specific courses are conducted."

Another subsection in the law states that auxiliary aids are allowable if they would even the playing field for students with disabilities. According to Section 504, examples of auxiliary aids may be "taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries..., classroom equipment adapted for use by students with manual impairments, and other similar devices and actions." The legislation makes a distinction by stating that these auxiliary aids, devices, and services are not required of the institution if it is for personal use or of a personal nature. The legislation makes one further clarification in the following quote:

> Aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped persons, but must afford persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

Due to the success of the Rehabilitation Act of 1973, another piece of legislation was created and adopted in 1990. The legislation would extend further into the community at large and included institutions that did not receive federal financial assistance.

Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) was passed in 1990 "...as the most comprehensive piece of civil rights disability legislation ever created" (Cloud, 2000, p. 395). One of the major differences between the ADA and the Rehabilitation Act is that the ADA is not "affirmative action" legislation like its predecessor (Fornadel, 1993). One of the major similarities between the ADA and the Rehabilitation Act is how the laws define disability. The ADA defines disability much like the Rehabilitation Act defined handicap: "a physical or mental impairment that substantially limits one or more of the major life activities of" an individual with a disability or "a record of such an impairment; or being regarded as having such an impairment."

The ADA's Title III specifically deals with institutions of higher education and the proper or reasonable accommodations of students with disabilities. The definition of discrimination within the ADA is:

> a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges,

> advantages, or accommodations to individuals with disabilities unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, privileges, advantages, or accommodations.

The ADA also focused on discrimination much like the Rehabilitation Act of 1973 did by stating that "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation" including undergraduate or postsecondary private schools.

The only exclusions allowed by the ADA legislation are buildings controlled by religious sects or organizations as well as private clubs. Private schools, however, were now under the power of the ADA legislation because they operated places of public accommodation (Thomas, 2000). Some other specific exclusion within the ADA include: psychoactive substance abuse disorder resulting from current illegal drug use, pyromania, kleptomania, gender identity disorders, voyeurism, exhibitionism, pedophilia, transsexualism, bisexuality, and homosexuality.

Case Law Analysis

Due to the ADA and Section 504, there have been many cases presented before the legal court system. The following section will spell-out a list of related court cases dealing with issues of both the ADA and Section 504. In *Southeastern Community College v. Davis*, the court decided that a hearing-impaired student did not fit the definition of an "otherwise qualified" person with a disability because she could not safely perform the functions of her nursing responsibilities even with the accommodations (Cloud, 2000, 402). This 1979 case was the first case to be heard by the United States Supreme Court on the Section 504 legislation. In another nursing student case, *Alexander v. Choate*, the Court decided that the interest and rights of institutions needed to be further protected. The Court stated that the student's need for further

modifications than those that relevantly required would have compromised the college nursing program.

The question of whether a student is required to give prior notice to the university before accommodations may be given has been raised before the Court. The Court, in *Rossmando v. Board of Regents of the University of Nebraska*, said that an institution is not required to give an accommodation until the student has clearly asked for an accommodation (Weber, 1999). In a similar and ironical case, *Becker v. Gallaudet University*, the Court said that even though the institution did not have interpretation services available, the institution was not responsible for the provision of services if the student had failed to notify the institution about a disability. The irony in this case stems from the fact Gallaudet University has been widely known as the institution of higher education for people with deafness.

In a similar and interesting case, *Kaltenberger v. Ohio College of Podiatric Medicine*, the Court deliberated on whether a student with attention-deficit disorder was discriminated against because the institution failed to render services to him after he had notified a counselor at the institution. The institution had referred the plaintiff out for an evaluation but the student did not present the documentation of the disability until after he had been dismissed from the program. The Court determined that the institution was under no obligation to offer services until after documentation had been provided to the institution.

Once reasonable accommodations have been offered, institutions have fulfilled their responsibility to students with disabilities. Occasionally, institutions have been taken to court on the basis that enough has not been done for a student. One such case was *Zukle v. Regents of the University of California* where a student with a learning disability had been provided "with double time on exams, note-taking services, tapes of textbooks, the ability to retake courses, a

decelerated schedule, and a waiver of dismissal on prior occasions" (Weber, 2000, p. 428). The student further requested that there be an interruption of the two clerkship courses, reduction of the hours to provide for more study time, and a gap between clerkship for additional study. The court ruled that adding these accommodations to the already long list would fundamentally alter the school's program.

There have been cases that have been decided for the student with a disability. In *Wong v. Regents of the University of California*, a medical student with a learning disability was dismissed from the program because of unsatisfactory performance within the clerkship. The Court ruled that the student had been discriminated against solely based on his disability because the dean of the school refused to investigate the proposed accommodations. "[T]he dean simply denied the request for accommodations through the registrar without consulting anyone whose job it was to make appropriate accommodations" (Weber, 2000, p. 427).

In another successful case for a student with a disability, *Amir v. St. Louis University*, the student sued the university for retaliation based on his disability.

> The court reversed a grant of summary judgment on a retaliation claim, holding that a medical student who had been dismissed from the program could make a case for retaliation. The student filed a grievance against a program psychiatrist, alleging that she coerced him into agreeing to hospitalization and prevented him from resuming a psychiatric clinic because of his obsessive-compulsive disorder and then assigned him a failing grade for the clinic. (Weber, 2000, p.433)

The Court agreed that the events were proximate enough in time after initiation of legal action to represent retaliation. The above-mentioned case law represents a short survey of the cases that have been heard by the courts. The case law analyzed and both pieces of legislation have

affected the nature of the relationships between universities, faculty, and students with disabilities.

Faculty, Students with Disabilities, and the University

Students with disabilities are entering post-secondary institutions of higher education at higher rates today than ever before (Fichten, Goodrick, Tagalakis, Amsel, & Libman, 1990; McMenamin, 2000; Paul 2000; Thomas, 2000; Thompson, Bethea, & Turner, 1997). The most recent statistic provided within the literature has shown an almost 10% increase from 1973-1993 in students with disabilities enrolled in higher education institutions (Stebnicki, Sibrava, & Rice-Mason, 1998). With such enrollment increases already occurring as well as the impending increases of the future, faculty members need to prepare themselves to serve the disability population more effectively. Thompson et al. (1997) also wrote that another indicator of the need for faculty knowledge of disability law is the increase in grievances filed through the Office of Civil Rights (OCR) and the legal courts.

The literature review documented that there is a positive relationship between "faculty awareness and accommodation, their familiarity and experience with students with disabilities and their knowledge about disability laws and rights" (Paul, 2000, p. 207). Although at first these relationships appear to be positive, the relationships have not fully translated into effective treatment of students with disabilities by faculty members. Professors continue to be ill prepared to give students appropriate, fair, and reasonable accommodations (Thomas, 2000; Stebnicki, Sibrava, & Rice-Mason, 1998).

Professors are often concerned with how to best assist students with disabilities (Fichten et al., 1990). These faculty members often doubt their own abilities in being able to teach students with disabilities. According to the authors, some faculty choose not to do anything for

students with disabilities; however, there are others who may overcompensate. In both situations, negative perceptions are realized as students feel that their needs are not being met or feel patronized by the professors.

Fichten et al. (1990) further explained that many problems arise in the teaching-learning process because professors do not know how to make accommodations or adapt their classes. The authors assert that this could be because professors may feel uncomfortable in dealing with these issues or because students may be reluctant and uncomfortable themselves in asking for proper assistance. Stebnicki et al. (1998) also suggested that another precipitating factor in problems arising in the teaching-learning process results because faculty members often "question the nature of reasonable accommodation in the classroom" (p. 30).

Paul (2000) wrote that a majority of students had encountered some sort of barrier to their education; these included faculty, lack of assistive devices and classroom accommodations, and inaccessibility to university buildings. He further wrote that students often felt that their professors lacked knowledge about their disability and the types of services or accommodations that could be given or made for their disability. These characteristics lead us into the area of attitudes toward students with disabilities.

Fonosch & Schwab (1981) found that faculty generally held positive attitudes about teaching students with disabilities. The authors also found that there were specific characteristics that were more related to positive attitudes towards students with disabilities. They found that faculty who used differing teaching techniques and not only "lecture" had more positive attitudes than faculty who used only lectures. Another interesting finding was that female faculty appeared to have more positive attitudes toward students with disabilities than male faculty. Another interesting finding was that faculty members who had more experiences with students

with disabilities tended to have more positive attitudes. Other researchers such as Higdon (1999), Hernandez (1999), and Benham (1997) have found similar findings to Fonosch and Schwab (1981).

Only recently has knowledge been investigated with Hernandez (1999) studying knowledge of the ADA from a private and public business sector. Higdon (1999) briefly tapped into the knowledge of the ADA by junior college administrators. Benham (1997) briefly investigated knowledge of the ADA by faculty members. It was Dona (1998) who studied college faculty members' knowledge of the ADA extensively by surveying faculty within fifteen community colleges in Mississippi. Thompson et al. (1997) was the only study dedicated solely to the knowledge of disability laws by higher education faculty.

The above-mentioned studies seemed to elicit the same information: Most faculty lack a good understanding of the disability laws within higher education. Thompson et al. (1997) further added that students might also need to be educated as to their responsibilities to students with disabilities. It appears that faculty may have a general or limited understanding of the law if at all; however, they lack a specific understanding of the law as it relates to the rights and responsibilities of each the faculty and students with disabilities. The next research step is to find the correlates or causes of improved knowledge of disability law by higher education faculty.

Methodology

Research Design

The purpose of this study was to find a relationship, if any, of faculty members' knowledge about disability law in higher education and faculty members' previous education or training of the law. This section of the report consists of the research design, sample,

instrumentation, research and null hypotheses, data collection procedures, data analysis procedures, and limitations of the study. A correlation research design was used to test the null hypothesis. The study consisted of a survey questionnaire to study the possible relationship between faculty's previous education or training of disability law and their current knowledge of disability law. The following paradigm was utilized in this study:

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The demographics section contained seven items: 1) faculty rank, 2) faculty member sex, 3) college faculty taught in, 4) years of collegiate teaching service, 5) number of students with disabilities taught, 6) types of disability education or training received, and 7) age of faculty member. The knowledge section contained 20 items that measure faculty members' knowledge of disability law in higher education. The questions are specific to the American's with Disabilities Act of 1990, Rehabilitation Act of 1973, and the subsequent and related court cases. Consistent with Dona's (1998) study, an overall 80% correct response rate on the 20-item survey was considered an acceptable level of knowledge about disability law.

Research and Null Hypotheses

The research hypothesis (H_1) that was used in the study was that there is a relationship between faculty members' previous training or education of disability law and their knowledge of the law. The null hypothesis (H_0) that was used in the study was that there was no relationship between faculty members' previous training or education of disability law and their knowledge of the law.

Data Collection Procedures

The data collection procedures consisted of sending all faculty members of the university a survey packet through the campus mail service. The survey packet consisted of the cover letter indicating background, reason for study, and instructions for survey completion. It also contained the Disability Law Knowledge Survey Questionnaire that consisted of two parts: demographics section and faculty knowledge section. Also included in the packet was a self-addressed, return envelope.

Data Analysis Procedures

The data that were collected using the procedures described above was analyzed using the Pearson Product Moment Correlation Coefficient analysis in which the dependent variables were knowledge of disability law as measured by the modified questionnaire and previous education or training of the law as measured by the same instrument. The questionnaire was taken from one available through the literature and was adapted by the researcher. After analyzing the correlation coefficient, the coefficient of determination was analyzed for those indicating a statistically significant relationship.

Results

A total of 184 (42%) faculty members of the 438 university faculty surveyed responded to the survey questionnaire. The research participants in the study held a variety of ranks that appeared to be evenly spread between Lecturers (27%), Assistant Professors (28%), and Associate Professor (27%), followed by Full Professors (15%). Visiting Faculty (1%), Dean of a College (1%) comprised the last two categories and one return was unmarked (1%). A majority of respondents were male (52%) while female faculty approximated (44%) and a small percentage (4%) was returned unmarked.

The College of Arts and Humanities faculty represented 25% of the total respondents while the College of Science and Engineering faculty comprised 19% of respondents. Each of the College of Education and College of Health Science and Human Services faculties constituted 17% of respondents. The College of Social and Behavioral Sciences faculty followed with an 11% response rate while the College of Business Administration faculty composed 10% of the respondents. Only one (1%) response was returned unmarked.

A total of 90 faculty members indicated that they had taught between 1-5 students with disabilities, five faculty members said they had never taught a student with a disability, 43 had

taught between 6-10 students with disabilities, 11 faculty members had taught between 11-15 students with disabilities. Ten faculty members had taught between 16-25 students with disabilities and 21 faculty members indicated having taught 25 or more students with disabilities. Finally, four surveys were returned unmarked.

The results of the Disability Law Knowledge section of the survey indicated that faculty members have general and limited knowledge about disability law as evidenced in the overall average score. The overall average score of all faculty member scores equaled 59.13%. A majority (51.63%) of faculty scored a 60 or lower score on the disability law knowledge section. Furthermore, only 12% of respondents scored an 80 or higher score on the disability law knowledge section. An overall 80% correct response rate or higher on the 20-item survey was considered an acceptable level of knowledge about disability law.

Few variables were found to be related to the score of knowledge of disability law. The only relationships that were found to be statistically significant were accounted for by the variables: read texts/books on disability law (r=.33, $p < .05$); attended conference presentations on disability law (r=.20, $p < .05$); taken course-based education on disability law (r=.18, $p < .05$); read newsletters on disability law (r=.27, $p < .05$); viewed videotapes on disability law (r=.26, $p < .05$); no education or training (r=-.32, $p < .05$); and number of previous education and training (r=.35, $p < .05$). Other relationships tested did not elicit statistically significant relationships. Although some relationship trends could be observed, sex of faculty, age of faculty, college faculty taught within, years of teaching, and even number of students with disabilities taught before were non significant.

As was expected, relationships between the variables were found. The null hypothesis (H_0) that there is no relationship between faculty members' previous training or education of

disability law and their knowledge of the law is rejected. The research hypothesis (H_1) that there is a relationship between faculty members' previous training or education of disability law and their knowledge of the law has been confirmed.

The following are positively related to faculty knowledge of disability law: read books/texts, attended conference presentations, taken course-based education, participated in department workshops, read newsletters, studied resource guides, attended training seminars, viewed videotapes, and number of trainings. The variable of no previous education or training was found to have a negative statistically significant relationship to knowledge of disability law in higher education; reference Table 1 for detailed information. Included within the table are the coefficients of determination (R^2).

Table 1 Statistically Related Variables to Knowledge of Disability Laws

Variables	*Pearson r*	R^2
Books/Texts	.3334**	11%
Conference Presentations	.2044**	04%
Course-Based Education	.1758**	03%
Department Workshops	.1688*	--
Newsletters	.2707**	07%
Resource Guides	.2179**	05%
Training Seminars	.1392*	--
Videotapes	.2550**	07%
Number of Trainings/Education	.3510**	12%
No Education/Trainings	-.3160**	10%

*Statistically significant, $p < .10$ **Statistically Significant, $p < .05$

Limitations of Study

One major limitation of this study was its reliance on a correlation research design instead of an experimental design. Although the findings may not illustrate a cause-effect relationship, the research elicited good information for the building of relationships that could promote further research. Another limitation of the study may be the lack of sampling faculty members from different post-secondary institutions; however, this is mitigated by the large population sample at the particular institution. As a result, the generalizability of the results of the study may be impeded. Furthermore, the lower than anticipated 42% response rate also serves as a limitation within the study.

Discussion

As was expected, the results of the study indicated that previous education or training of the law is related to faculty knowledge of disability law. The amount of the education or training of the law is positively related to knowledge of disability law. Furthermore, there was a negative relationship between no previous education or training of the law and knowledge of the law. Most of the specific types of education or training of the law studied was positively related to knowledge of the law. The research indicated that faculty members that have had at least one form of training or education performed better on the disability law knowledge questionnaire. Additionally, the research suggested that faculty members who have had more types of training or education averaged higher scores than faculty members who have fewer types of training or education.

Other important research findings included variables such as faculty rank, years of teaching experience, college taught within, age of faculty, and sex of faculty were not related to knowledge of higher education disability law. The most startling finding was that number of

previous students with disabilities taught was not related to knowledge of the law; this finding contradicts those in a previous study. This could have resulted because faculty members at this institution are told what types of accommodations to give students through a centralized office of services for persons with disabilities. The office dictates to the faculty what accommodations are needed and does not disclose what type of disability the student has. Accordingly, faculty do not have a right to know what disability a student may have, yet, the faculty member is responsible to provide those services.

Implications and Conclusion

As a consequence of having a centralized form of disability services on campus, the law may have created a faculty that is ill-informed on the subject, whereby, faculty members no longer participate in the decision-making process of disability accommodations. This decision-making process may have paved the way to better service delivery to students with disabilities or it just may have been a better way of mitigating the chances of a lawsuit. Whatever the reason, higher education is faced with another choice. Does higher education make a concerted effort in educating a faculty about the proper way of accommodating a student with a disability? Before answering that question, higher education should answer the following: "Does faculty knowledge of disability law really make a difference in effective service delivery? Or is the status quo of a centralized office as effective as it can ever get?"

The answers to the previous questions are now a matter of public debate. One thing that this research did indicate is that faculty knowledge of disability law is so low that services to students with disabilities have the potential to be compromised. Administrators and faculty members of colleges and universities need to keep abreast of changes with the legislation or case law pertaining to people with disabilities. This can be accomplished by having very qualified

individuals employed within the disability services office (DSO). Administrators, faculty members, and DSO staff should read material on disability law on a continuing basis. University administrator should consider implementing a training sequence for faculty, administrators and staff at employment. Administrators should also consider the option of creating annual disability law sessions as part of a professional development program. University administrators should also seek legal consultation as a preventive measure to mitigate the likelihood of legal cases being filed against the institution. The DSO staff should attempt to work closely with faculty members throughout campus.

Faculty and administrators should understand that the legislation allows various types of auxiliary services and aids to be utilized within the classroom if proper documentation has been offered. These services and aids may include: taped texts, note takers, interpreters, readers, videotext displays, television enlargers talking calculators, electronic readers, Braille calculators or printers or typewriters, telephone handset amplifiers, closed caption decoders, open and closed captioning, voice synthesizers, specialized gym equipment, calculators or keyboards with large buttons, reaching devices, assistive listening devices or systems, and telecommunications devices for deaf persons.

There is value to the existence of a centralized office for disability services on campus. There also was a value to when faculty members were aware of and knowledgeable about disability law. Although the legislation's intent was not creating an ill-informed professoriate, the application of the law has ultimately produced just that. The legislation's intent is to equalize the chances of success for students with disabilities. How best to accomplish this than to have knowledgeable people—students, staff, administrators, and particularly faculty—involved in the disability service and decision-making process?

The spirit of the legislation is intended to offer an equal opportunity for academic success to students with disabilities. "What is the most proper approach to accomplish the intent of the legislation without producing an unequal system?" is the overarching question that looms over all practitioners of higher education educators. Justice Felix Frankfurter passionately addressed the question of providing an equal opportunity to all in an unrelated, yet, poignant dissenting opinion: "It is a wise man who said that the greatest inequality is the equal treatment of unequals."

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Appendix

Faculty Disability Law Knowledge Survey Questionnaire

Disability Law Knowledge Survey Questionnaire

The results of this survey questionnaire are to remain **anonymous**; therefore, you are not to write any personal/identifying information on it. Please complete by checking the correct response to each of the following to the *best of your knowledge*.

Demographic Section

Your Rank or Title:

Lecturer	
Assistant Professor	
Associate Professor	
Professor	
Visiting Faculty (All)	
College Dean	

Years of Service (Teaching):

Less than One Year of Service	
1-3 Years of Service	
4-7 Years of Service	
8-10 Years of Service	
10+ Years of Services	

College You Teach in:

Arts & Humanities	
Business Administration	
Education	
Health Sciences & Human Services	
Science & Engineering	
Social & Behavioral Sciences	

# of Students with Disabilities you have Taught:

0 Students with Disabilities	
1-5 Students with Disabilities	
6-10 Students with Disabilities	
11-15 Students with Disabilities	
16-25 Students with Disabilities	
25+ Students with Disabilities	

Type(s) of Disability-Related Education you have received (Check all that Apply):

Books/Texts	
Conference Presentations	
Course-Based Education	
Department Workshops	
Newsletters	
Resource Guides	
Training Seminars	
Videotapes	
Other(Explain):	
No Education/Training	

Sex:

Female	
Male	
Other	

Age:

20-30 years of age	
31-40 years of age	
41-50 years of age	
51-60 years of age	
61-70 years of age	
70+ years of age	

Go On to Next Section→

Disability Law Knowledge Section

Please check the response you think is correct to each statement below.

Statement	Yes	No	Don't Know
1.) Section 504 of the 1973 Rehabilitation Act prohibits discrimination on the basis of disability in any program or activity offered by an institution of higher education that receives federal financial assistance.			
2.) A person is considered to be a person with a disability if he/she has a disability, has a record of the disability, or is regarded as having a disability.			
3.) A qualified person with a disability meets the academic and technical standards required for admission and participation in a particular program or activity.			
4.) Faculty and staff in higher education are required to provide a student with a disability accommodation even if the student does not request it.			
5.) Section 504 specifically mentions tape recording lectures as a means of assuring full participation in the classroom for students with disabilities.			
6.) A student with a disability may ask for and expect accommodation in a classroom even though the student has not provided documentation that the disability exists.			
7.) Students are required to assume the responsibility for securing a necessary accommodation.			
8.) A classroom's location should be changed to provide accessibility for a student with a mobility disability.			
9.) An instructor who decides that a student with a documented learning disability does not need extended time on a test may choose not to give this accommodation.			
10.) The form of an exam must be altered if the testing procedure puts a student with a disability at a disadvantage based on the student's documented disability.			
11.) Student requests for accommodation must be provided even when the accommodation would result in a fundamental alteration of the program.			
12.) The university may refuse to grant a student's request for an accommodation which is not specifically recommended in the student's documentation.			
13.) If a student with a visual disability is enrolled in a class, the instructor must provide all handouts in the alternate format requested by the student.			
14.) If a student with a disability has difficulty writing, the instructor is responsible for providing the student with an oral test.			

15.) The instructor must make course material on reserve in the library available in alternate formats for students with visual disabilities enrolled in the course.			
16.) Faculty members have the right to access diagnostic information regarding a student's disability.			
17.) If a student's documentation specifically recommends a quiet testing area with no distractions, the instructor must allow the student to take an exam in a room different from the classroom with a proctor.			
18.) An individual faculty member who fails to provide an accommodation to a student with a documented disability may be held personally liable.			
19.) The instructor's academic freedom permits the instructor to decide if he/she will provide special aids and services for students with disabilities in the classroom.			
20.) Accommodations for testing such as readers, scribes, or the use of adaptive equipment must be provided for a student with a documented disability.			

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